

**From:** [Devine, Kerri A. \(Law\)](#)  
**To:** [Amy L. Bellantoni](#)  
**Subject:** Re: [EXTERNAL] RE: Taveras v New York City  
**Date:** Friday, September 23, 2022 8:25:29 PM  
**Attachments:** [image001.png](#)

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No objection.

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**From:** Amy L. Bellantoni <abell@bellantoni-law.com>  
**Sent:** Friday, September 23, 2022 8:20:30 PM  
**To:** Devine, Kerri A. (Law) <kdevine@law.nyc.gov>  
**Subject:** Re: [EXTERNAL] RE: Taveras v New York City

Hi Kerri,

I have overextended myself again! I'm still working on amending the Complaint. Any objection if it's filed over the weekend rather than today?

Amy

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**From:** Devine, Kerri A. (Law) <kdevine@law.nyc.gov>  
**Sent:** Wednesday, August 31, 2022 11:33 AM  
**To:** Amy L. Bellantoni <abell@bellantoni-law.com>  
**Subject:** RE: [EXTERNAL] RE: Taveras v New York City

Looks good, thank you.

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**From:** Amy L. Bellantoni <abell@bellantoni-law.com>  
**Sent:** Wednesday, August 31, 2022 11:15 AM  
**To:** Devine, Kerri A. (Law) <kdevine@law.nyc.gov>  
**Subject:** RE: [EXTERNAL] RE: Taveras v New York City

Hi Kerri,  
Let me know if you have any changes.



August 31, 2022

**VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: Taveras v. New York City, et al.  
20 Civ. 01200 (KPF)

Your Honor,

I represent the plaintiff, Alan Taveras, in the above-referenced matter. I write on behalf of all parties to inform the Court regarding the intended path forward in this action.

By way of (abbreviated) background, this action was commenced on February 11, 2020, which was amended on April 6, 2020. Defendants filed a pre-motion letter on May 4, 2020, Plaintiff responded the same day. The Court dispensed with the requirement of a pre-motion conference; Defendants' Motion to Dismiss was fully submitted on September 9, 2020. The Court issued an Opinion and Order on January 17, 2021 granting Defendants' motion and dismissing the First Amended Complaint. Plaintiff appealed to the Second Circuit; on August 2, 2022 the Circuit Court vacated the January 17, 2021 Opinion and Order and remanded the matter for further proceedings in light of the Supreme Court's decision in *Bruen*.

In accordance with the Court's August 3, 2022 Order, the parties propose that Plaintiff file a Second Amended Complaint on or before September 23, 2022 to narrow the claims before the Court. Defendants will thereafter proceed either with filing an Answer or a pre-motion letter within the statutory timeframe. Thank you for the Court's consideration.

Sincerely,

*Amy L. Bellantoni*  
Amy L. Bellantoni

cc: Kerri Devine

The Court is in receipt of Plaintiff's above letter. The Court adopts the parties' proposed next steps. Plaintiff shall file his amended complaint on or before **September 23, 2022**, and Defendants shall file their response to the amended complaint on or before **October 14, 2022**.

Dated: September 1, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE